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EXAMINER

TRAN, MYLINH T

ART UNIT	PAPER NUMBER
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2174

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Please find below and/or attached an Office communication concerning this application or proceeding.



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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No. 12

Application Number: 09/520,389
Filing Date: March 08, 2000
Appellant(s): IMPAS ET AL.

MAILED

JAN 14 2004

Technology Center 2.00

Christopher Holt
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 10/27/03.

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

The brief does not contain a statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

Therefore, it is presumed that there are none. The Board, however, may exercise its discretion to require an explicit statement as to the existence of any related appeals and interferences.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is substantially correct. The changes are as follows:

Claims 1, 21-23, 26, 29, 53 and 56 are anticipated by Martin et al.

[US. 5,655,066].

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Claims 3-20 and 31-52 are obvious over Martin et al. and further in view of Dawson et al. [US. 5,270,688].

(7) Grouping of Claims

The grouping of claims contained in the brief is correct.

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

5,655,066	Martin et al.	345/700
5,270,688	Dawson et al.	345/150

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

DETAILED ACTION

Allowable Subject Matter

Claims 1, 3-22 and 29-47 (Groups I-XXI) are allowable.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 23, 26, 53, 56 are rejected under 35 U.S.C. 102(b) as being anticipated by Martin et al.[US. 5,655,066].

As to claim 23, Martin et al. shows a user input device providing a user input signal indicative of user inputs and a display device (column 4, lines 1-12); and a controller, coupled to the user input device and the display device, configured to receive the user input signal, display a cursor image on the display device based on the user input signal, and display an ancillary image based on at least one characteristic of the cursor image, the controller being configured to display the ancillary image to move based on movement of the cursor image on the display device (column 6, lines 12-25); and the controller being configured to display the ancillary image as an image formed by light impinging on a surface after passing through the cursor image (figure 6a, (620), the ancillary image (620) can be a wavy shadow or image which gives the appearance of light impinging on a surface after it has traveled).

As to claim 26, Martin et al. demonstrates a cursor image displayed on the display device based on a user input; and an ancillary image displayed on the display device at a position based on a position of the cursor image and having an appearance based on an appearance characteristic of the cursor image (column 6, lines 35-50); and appearing as an image formed by light impinging on a surface after passing through the cursor image (figure 6a,

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(620), the ancillary image (620) can be a wavy shadow or image which gives the appearance of light impinging on a surface after it has traveled).

As to claims 53 and 56, Martin et al. shows a cursor with a shadow wherein the shadow and the cursor are formed integrally with one another (figure 6a, (620) and (616) are formed integrally with one another, column 8, lines 15-25).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 48-50 and 51-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin et al. in view of Dawson et al. [US. 5,270,688].

As to claims 48 and 51, the difference between Martin et al. and the claim shows obtaining a cursor indication indicative of an alpha blended AGRB image and displaying a cursor image based on the cursor indication. Dawson et al. shows the feature on column 6, lines 50-65. It would have been obvious to one of ordinary skill in the art, having the teachings of Martin et al. and Dawson et al. before them at the time the invention was made to modify the displaying the cursor image and it's shadow taught by Martin et al. to include the monochrome bitmap of pixel values of Dawson et al., for the purpose of

providing an arrangement for generating cursors or other overlays for computer output display which overlays are easily discernible from the background over which they are displayed taught by Dawson et al.

As to claim 49, Martin et al. also shows obtaining the cursor indication from an application (column 4, lines 44-53).

As to claims 50 and 52, while Martin et al. teaches the obtaining the cursor indication as indicative of a composite image, Dawson et al. shows the pixel alpha and color values on column 2, lines 15-25.

(11) Response to Argument

Regarding group XXII (claims 23 and 26), Appellant has argued that in Martin, there is no “the controller being configured to display the ancillary image as an image formed by light impinging on a surface after passing through the cursor image”. However, this is not true. Appellant’s attention is directed to figure 6a, (620), the ancillary image (620) can be a wavy shadow or image which gives the appearance of light impinging on a surface after it has traveled.

Regarding group XXIII and groups XXIV-XXVI (claims 48-52), in response to Appellant’s argument on 103 rejection regarding claims 48-52, there is no “an alpha blended AGRB image” in Dawson et al. However, this limitation is taught at column 6, lines 50-65 where color values (alpha blended AGRB) are discussed. Dawson et al. also shows displaying a cursor image based on the cursor indication (column 6, lines 50-65). Appellant’s attention is directed

to the system of Martin about obtaining the cursor indication from an application (column 4, lines 44-53). Besides, while Martin et al. teaches the obtaining the cursor indication as indicative of a composite image, Dawson et al. shows the pixel alpha and color values on column 2, lines 15-25.

Regarding group XXVII (claim 53 and 56), Appellant has argued that Martin does not teach "the shadow and the cursor are formed integrally with one another. However, Martin teaches the limitation at column 2, lines 12-30.

Martin cites "displaying the icon representing the remote cursor tool without an associated shadow on both the first display and the second display and only while the tool is active, the icon being displayed on the second display in a position corresponding to a position of the icon on the first display".

Next, Appellant has also argued that Martin does not disclose "displaying the cursor and shadow as a single image based on the cursor image information". However, figure 6A shows the cursor (616) and its shadow (620) are displayed in a single image (610).

For the above reasons, it is believed that the rejections should be sustained.

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Respectfully submitted,




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